

**Introduced by Senator Ortiz**

February 21, 2006

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An act to amend Sections 69433.9, 69434, 69435.3, and 69436 of the Education Code, relating to student financial aid.

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1383, as introduced, Ortiz. Student financial aid: Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Program.

Existing law, the Ortiz-Pacheco-Poochigian-Vasconcellos Cal Grant Act, establishes the Cal Grant A and B Entitlement awards, the California Community College Transfer Cal Grant Entitlement awards, the Competitive Cal Grant A and B awards, the Cal Grant C awards, and the Cal Grant T awards under the administration of the Student Aid Commission, and establishes eligibility requirements for awards under these programs for participating students attending qualifying institutions. Among the existing eligibility requirements established under the act for the Cal Grant A and B Entitlement awards is a requirement that a student must have graduated from high school or its equivalent during or after the 2000–01 academic year. Among the existing eligibility requirements established under the act for the California Community College Transfer Cal Grant Entitlement awards is a requirement that a student must have graduated from a California high school or its equivalent during or after the 2000–01 academic year.

Existing law requires, commencing with the 2003-04 school year and each school year thereafter, each pupil completing grade 12, other than a pupil to whom an exception to this requirement is applicable, to successfully pass the high school exit examination as a condition of graduation from high school.

This bill would specify that a student who has completed the coursework necessary to receive a high school diploma, but who has not passed the high school exit examination, satisfies the requirement of obtaining the equivalent of high school graduation for the purposes of these requirements.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 69433.9 of the Education Code is  
2 amended to read:

3 69433.9. To be eligible to receive a Cal Grant award under  
4 this chapter, a student shall be all of the following:

5 (a) A citizen of the United States, or an eligible noncitizen, as  
6 defined for purposes of financial aid programs under Title IV of  
7 the federal Higher Education Act of 1965 (20 U.S.C. Secs. 1070  
8 et seq., as from time to time amended).

9 (b) In compliance with all applicable Selective Service  
10 registration requirements.

11 (c) Not incarcerated.

12 (d) Not in default on any student loan within the meaning of  
13 Section 69507.5.

14 (e) For purposes of Article 2 (commencing with Section  
15 69434), Article 3 (commencing with Section 69435), and Article  
16 4 (commencing with Section 69436), at the time of high school  
17 graduation or its equivalent, be a resident of California. *A student  
18 who has completed the coursework necessary to receive a high  
19 school diploma, as required by Chapter 2 (commencing with  
20 Section 51200) of Part 28, but who has not passed the high  
21 school exit examination required pursuant to Chapter 9  
22 (commencing with Section 60850) of Part 33, satisfies the  
23 requirement of obtaining the equivalent of high school  
24 graduation for the purposes of this section.*

25 SEC. 2. Section 69434 of the Education Code is amended to  
26 read:

27 69434. (a) Commencing with the 2001–02 academic year,  
28 and each academic year thereafter, a Cal Grant A award shall be  
29 used only for tuition or student fees, or both, in a for-credit  
30 instructional program with a length of not less than two academic

years. Each student who meets the Cal Grant A qualifications as set forth in this article shall be guaranteed an award. The amount of any individual award is dependent on the cost of tuition or fees, or both, at the qualifying institution at which the student is enrolled. For each applicant, the award amount shall not exceed the amount of the calculated financial need.

(b) Pursuant to Section 66021.2, any California resident is entitled to a Cal Grant A award, and the commission shall allocate that award, if all of the following criteria are met:

(1) The student has submitted, pursuant to Section 69432.9, a complete financial aid application, submitted or postmarked no later than March 2 of the academic year of high school graduation or its equivalent for the award year immediately following the academic year of high school graduation or its equivalent, or no later than March 2 of the academic year following high school graduation or its equivalent for the second award year following the year of high school graduation or its equivalent.

(2) The student demonstrates financial need pursuant to Section 69433.

(3) The student attains a high school grade point average of at least 3.0 on a four-point scale.

(4) The student's household has an income and asset level that does not exceed the level for Cal Grant A recipients set forth in Section 69432.7.

(5) The student is pursuing an undergraduate academic program of not less than two academic years that is offered by a qualifying institution.

(6) The student is enrolled at least part time.

(7) The student meets the general Cal Grant eligibility requirements set forth in Article 1 (commencing with Section 69430).

(8) The student graduated from high school or its equivalent during or after the 2000–01 academic year. *A student who has completed the coursework necessary to receive a high school diploma, as required by Chapter 2 (commencing with Section 51200) of Part 28, but who has not passed the exit examination required pursuant to Chapter 9 (commencing with Section 60850) of Part 33, satisfies the requirement of obtaining the*

1 *equivalent of high school graduation for the purposes of this*  
2 *section.*

3 (c) A student who meets the Cal Grant A Entitlement Program  
4 criteria specified in this article shall receive a Cal Grant A award  
5 for tuition or fees, or both, pursuant to Section 66021.2.

6 SEC. 3. Section 69435.3 of the Education Code is amended to  
7 read:

8 69435.3. (a) Any California resident is entitled to receive a  
9 Cal Grant B award, and the commission shall allocate that award  
10 pursuant to Section 66021.2, if all of the following criteria are  
11 met:

12 (1) The student has submitted, pursuant to Section 69432.9, a  
13 complete financial aid application, submitted or postmarked no  
14 later than March 2 of the academic year of high school  
15 graduation or its equivalent for the award year immediately  
16 following the academic year of high school graduation or its  
17 equivalent, or no later than March 2 of the academic year  
18 following high school graduation or its equivalent for the second  
19 award year following the year of high school graduation or its  
20 equivalent.

21 (2) The student demonstrates financial need pursuant to  
22 Section 69433.

23 (3) The student attains a high school grade point average of at  
24 least 2.0 on a four-point scale.

25 (4) The student's household has an income and asset level that  
26 does not exceed the level for Cal Grant B recipients as set forth  
27 in Section 69432.7.

28 (5) The student is pursuing an undergraduate academic  
29 program of not less than one academic year that is offered by a  
30 qualifying institution.

31 (6) The student is enrolled at least part-time.

32 (7) The student meets the general Cal Grant eligibility  
33 requirements set forth in Article 1 (commencing with Section  
34 69430).

35 (8) The student graduated from high school or its equivalent  
36 during or after the 2000–01 academic year. *A student who has*  
37 *completed the coursework necessary to receive a high school*  
38 *diploma, as required by Chapter 2 (commencing with Section*  
39 *51200) of Part 28, but who has not passed the exit examination*  
40 *required pursuant to Chapter 9 (commencing with Section*

60850) of Part 33, satisfies the requirement of obtaining the equivalent of high school graduation for the purposes of this section.

(b) A student who meets the Cal Grant B Entitlement Program criteria specified in this article shall receive a Cal Grant B award for access costs and tuition and fees pursuant to Section 66021.2.

SEC. 4. Section 69436 of the Education Code is amended to read:

69436. (a) Commencing with the 2001–02 academic year, and each academic year thereafter, a student who was not awarded a Cal Grant A or B award pursuant to Article 2 (commencing with Section 69434) or Article 3 (commencing with Section 69435) at the time of his or her high school graduation *or at the time he or she achieved the equivalent of high school graduation* but, at the time of transfer from a California community college to a qualifying baccalaureate program, meets all of the criteria set forth in subdivision (b), shall be entitled to a Cal Grant A or B award.

(b) Any California resident transferring from a California community college to a qualifying institution that offers a baccalaureate degree is entitled to receive, and the commission shall award, a Cal Grant A or B award depending on the eligibility determined pursuant to subdivision (c), if all of the following criteria are met:

(1) A complete official financial aid application has been submitted or postmarked pursuant to Section 69432.9, no later than the March 2 of the year immediately preceding the award year.

(2) The student demonstrates financial need pursuant to Section 69433.

(3) The student has earned a community college grade point average of at least 2.4 on a 4.0 scale and is eligible to transfer to a qualifying institution that offers a baccalaureate degree.

(4) The student's household has an income and asset level not exceeding the limits set forth in Section 69432.7.

(5) The student is pursuing a baccalaureate degree that is offered by a qualifying institution.

(6) He or she is enrolled at least part-time.

(7) The student meets the general Cal Grant eligibility requirements set forth in Article 1 (commencing with Section 69430).

(8) The student does not meet the federal definition of an independent student, as set forth in subsection (d) of Section 1087vv of Title 20 of the United States Code, with the exception of:

(A) A student who is an orphan or a ward of the court and who will not be 24 years old or older by December 31 of the award year.

(B) A student who is a veteran of the United States Armed Forces and who will not be 24 years old or older by December 31 of the award year.

(C) A student who is a married person and who will not be 24 years old or older by December 31 of the award year.

(D) A student who will not be 24 years old or older by December 31 of the award year and who has dependents other than a spouse.

(E) A student who will not be 24 years old or older by December 31 of the award year and for whom a financial aid administrator makes documented determination of independence by reason of other unusual circumstances.

(9) The student graduated from a California high school or its equivalent during or after the 2000–01 academic year. *A student who has completed, at a California high school, the coursework necessary to receive a high school diploma, as required by Chapter 2 (commencing with Section 51200) of Part 28, but who has not passed the exit examination required pursuant to Chapter 9 (commencing with Section 60850) of Part 33, satisfies the requirement of obtaining the equivalent of high school graduation for the purposes of this section.*

(c) The amount and type of the award pursuant to this article shall be determined as follows:

(1) For applicants with income and assets at or under the Cal Grant A limits, the award amount shall be the amount established pursuant to Article 2 (commencing with Section 69434).

- 1     (2) For applicants with income and assets at or under the Cal
- 2     Grant B limits, the award amount shall be the amount established
- 3     pursuant to Article 3 (commencing with Section 69435).

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